

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Applicants acknowledge with appreciation the indication in the Office Action that claims 6-9 are allowed and claims 2-5 are allowable.

Claims 1 and 10 have been amended for clarity. Claims 12-16 have been newly added. Support for the subject matter of the new claims is provided for example in the original claims and paragraph [0052] of Applicants' published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 1, 10, and 11 stand rejected, under 35 USC §102(b), as being anticipated by Li et al. (US 2002/0119781). Claim 1 also stands rejected, under 35 USC §103(a), as being unpatentable over Puig-Oses et al. (US 2007/0287487). The Applicants respectfully traverse the rejections.

Claim 1 defines a reception quality notifying method that: (1) measures reception quality of a multicarrier signal on a subcarrier basis; (2) compares the measurement result of the measurement step on each subcarrier of the multicarrier signal with a predetermined threshold value and performs format conversion on the comparison result using a plurality of different references to generate a plurality of reception quality data that have different formats and that are expressed by bits; (3) selects reception quality data with a smallest data amount from the plurality of generated reception quality data; and (4) transmits the selected reception quality data. By transmitting the smallest amount of reception quality data, the claimed subject matter

provides the advantage of releasing uplink channel resources normally used for transmission of a larger amount of reception quality data, so as to improve the uplink throughput (see paragraph [0030] of Applicants' published specification).

With respect to the 35 USC 102 rejection based on Li, it is submitted that Li fails to disclose the subject matter of claim 1 of comparing the measurement result of the measurement step on each subcarrier of the multicarrier signal with a predetermined threshold value and performing format conversion on the comparison result using a plurality of different references to generate a plurality of reception quality data that have different formats and that are expressed by bits

With regard to item (2) above, the Office Action proposes that Li discloses converting a reception quality comparison result to a three-bit field that may be used for SINR indexing (see Office Action page 3, lines 8, 10, and 11). However, Li's disclosure of converting a comparison result to a three-bit field is not the same as the Applicants' claimed subject matter of comparing the measurement result of the measurement step on each subcarrier of the multicarrier signal with a predetermined threshold value. Li does not disclose generating a plurality of reception quality data that have different formats and that are expressed by bits, as recited in Applicants' claim 1.

With regard to item (3) above, the Office Action proposes that Li discloses selecting a cluster of subcarriers whose reception quality comparison result has a value less than 1 dB (see Office Action page 3, line 14, and Li ¶ [0076]). However, Li does not disclose representing a single reception quality comparison result with multiple data formats; thus, it necessarily follows that Li cannot disclose the Applicants' claimed subject matter of selecting reception quality data with a smallest data amount from the plurality of generated reception quality data.

Accordingly, Applicants submit that Li does not identically disclose the claimed subject matter and, thus, does not anticipate this subject matter. Independent claims 10 and 12 similarly recite the above-mentioned subject matter distinguishing method claim 1 from the applied reference, but claim 10 does so with respect to an apparatus. Therefore, allowance of claims 1, 10, and 12 and all claims dependent therefrom is considered to be warranted.

Regarding the obviousness rejection applied to claim 1, Puig-Oses also does not disclose the above-mentioned items (2) and (3) of claim 1. The Office Action proposes, with respect to item (2), that Puig-Oses discloses determining an appropriate transmission format based on a decoded C/I value (see Office Action page 6, lines 3-5). However, Puig-Oses' disclosure of determining an appropriate transmission format based on a reception quality value is not the same as the claimed subject matter of "performing format conversion on the comparison result using a plurality of different references to generate a plurality of reception quality data that have different formats and that are expressed by bits" and "selecting reception quality data with a smallest data amount from the plurality of generated reception quality data," as recited in Applicants' claim 1.

Although the Office Action proposes, with respect to the above-mentioned item (3) of claim 1, that Puig-Oses discloses reducing the transmission rate of a channel if the channel experiences poor reception quality (see Office Action page 6, lines 8-12), Applicants submit that such disclosure is not similar to the claimed subject matter of performing format conversion on the comparison result using a plurality of different references to generate a plurality of reception quality data that have different formats and that are expressed by bits and "selecting reception quality data with a smallest data amount from the plurality of generated reception quality data.

Accordingly, the Applicants submit that the teachings of Puig-Oses and the knowledge attributable to a skilled artisan, even if combined as proposed in the Office Action, still would lack the above-noted features of claim 1 and thus do not render obvious the subject matter defined by claim 1. Therefore, allowance of claim 1 is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

James E. Ledbetter
Registration No. 28,732

Attorney Docket No. 009289-06188
Dickinson Wright PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC 20006
Telephone: (202) 457-0160
Facsimile: (202) 659-1559
DC 9289-6188 153519